

REMARKS

The Final Rejection of May 12, 2011, has been reviewed, and the references applied have been again reviewed. The claims as amended above are claims 14, 17-20, 24-29, 32-34 and 41. Applicants believe and respectfully submit that these claims define novel and unobvious subject matter, and therefore should be allowed. Favorable reconsideration, entry of the amendments presented above, and allowance are earnestly solicited.

The claims have been amended to better conform with U.S. practice, and in doing so such claims are believed to obviate the criticisms appearing in the rejection under §112.

Claim 14 and the claims dependent therefrom now call for both preparing and enabling hemostasis. The bioabsorbable synthetic nonwoven fabric recited contains thrombin, and the fibrinogen is added immediately prior to use thereof. The method causes a ceasing of exudative bleeding after initial bleeding, with only a single hemostatic treatment. The other claims are consistent with claim 14 and the claims dependant thereon.

Withdrawal of the objection is in order and is respectfully requested.

Claims 14, 17-21, 24-29, 32-34, 36-38 and 41 have been rejected under the first paragraph of §112. This rejection is respectfully traversed.

Respectfully, Applicants do not at all agree with the rejection. The particular species previously claimed generically are fully disclosed, taking into account what appears in Applicants' specification coupled with the common knowledge in the art. That is all that is needed.

Applicants also respectfully disagree with the commentary that the "claims are essentially of limitless breadth." The claims are not at all limitless in breadth. The materials are specified and what is done to the materials is specified.

Withdrawal of the rejection is in order and is respectfully requested.

Claims 14, 17-20, 36-38 and 41 have been rejected under the first paragraph of §112 as failing to comply with the enablement requirement. This rejection is respectfully traversed.

As pointed out above, it is well accepted in the law that the specification of an application for patent need only include what is new, not everything that is old. Applicants' specification fully complies with the first paragraph of §112.

As noted above, recurrent bleeding and projectile bleeding have been deleted from the claims, whereby the mode of bleeding is now specified as being exudative bleeding. The effects of the hemostatic material of the present invention to cause exudative bleeding to cease are proven in Example 3. Applicants' claims are supported by the specification.

Withdrawal of the rejection is in order and is respectfully requested.

Claims 21, 24-29 and 32-34 have been rejected a second time (commencing at the bottom of page 7 of the Final Action) as lacking enablement. This rejection is respectfully traversed.

Applicants respectfully repeat by reference the Remarks made above in traversing the earlier rejections under §112.

Withdrawal of the rejection is in order and is respectfully requested.

Claims 14, 17-21, 24-29, 32-34, 36-38 and 41 have been again rejected as obvious under §103 from Sugitachi in view Greenawalt and further in view of Gunze. This rejection is respectfully traversed for the reasons of record, respectfully repeated by reference, and for the additional reasons set forth below.

Apart from the characteristic feature of the hemostatic material, *i.e.* a bioabsorbable synthetic nonwoven fabric made of polyglycolic acid which is a needle-punched and elastic polyglycolic acid fabric, and the specific hemostatic components, *i.e.* thrombin and fibrinogen, the gist of the claimed method lies in the feature that thrombin and fibrinogen are separated from each other and will not react with one another before use thereof (see the phrase

starting with “so that”). For this feature to be attained, the phrase “immediately prior to use thereof” is recited in the claims.

Sugitachi simply does not teach or disclose this feature. Indeed, in the examples of Sugitachi, there is described “The fibrin formed on the surface of...” (see col. 9, lines 56, 66, col. 10, lines 21, 31, 39-40, 48, etc.). Greenawalt also fails to teach and disclose the feature.

Secondly, the usage of the material is in between the present invention from that of Sugitachi. Specifically, the material in the claimed method is a hemostatic material whereas the material according to Sugitachi is wound healing material. Applicants note that the concepts “hemostatic” in the present invention and “wound healing” in Sugitachi are well distinguished from one another. The wound healing nature is explained in Sugitachi, at col. 8, the last paragraph.

Applicants request the Examiner to again review the previous arguments made against this rejection. Applicants continue, with respect, to assert and maintain that the combination would not be obvious, and that Applicants’ invention would not be reached even if the combination were obvious.

Withdrawal of the rejection is respectfully requested.

Claim 14 has been rejected on the basis of obviousness-type double patenting over claim 5 of copending Application 11/941,779. This rejection is respectfully traversed.

Applicants note that claim 5 of copending Application 11/941,779 is no longer pending¹ and therefore the double patenting rejection does not apply.

Applicants respectfully request that this rejection be withdrawn.

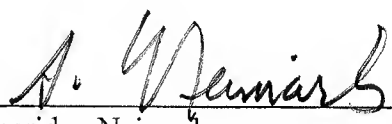
¹ See Amendment After Final filed in copending Application No. 11/941,779 on June 24, 2011, where claim 5 was cancelled and the subsequent Notice of Allowance mailed June 24, 2011, where only claims 7-14 were allowed.

In re Appln of Takmori UCHIDA *et al*
Appln No. 10/542,577
Reply to Final Action of May 12, 2011
Reply dated August 10, 2011

If the Examiner has any questions or suggestions, the Examiner is respectfully requested to contact the undersigned at (202) 628-5197.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicants

By 
Sheridan Neimark
Registration No. 20,520

SN:ltm
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
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